

cancelled. The applicants believe that no new matter has been added as a result of these amendments and respectfully request reconsideration and allowance of the present application.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached Appendix is captioned **"Version with markings to show changes made"**.

#### Restriction Requirement

Claims 1-17 were subject to a restriction requirement pursuant to 35 U.S.C. §121 to the following groups:

Group I: Claims 1-17, drawn to cellulose fibers; and

Group II: Claims 1-17, drawn to cellulose articles.

The applicants elect Group I (claims 1-17) with traverse. The applicants note that both groups are drawn to modification of cellulose with a cyanuric chloride compound. Cellulose articles contain cellulose fibers, i.e., the combination requires all the features of the subcombination. Therefore, restriction in this instance is improper. "If a search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" emphasis added (MPEP §803).

#### Patentability Remarks –

##### *Rejections Based Upon 35 U.S.C. §103(a):*

Claims 1 to 17 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Haller *et al.* (U.S. Pat. No. 1,886,480). Claim 9 has been amended and claim 10 has been cancelled. The applicants respectfully traverse.

There is no motivation in Haller *et al.* to flameproof cellulose by reaction with cyanuric chloride. Indeed, Haller *et al.* react cellulose with cyanuric chloride to create an intermediate for dyeing cellulose. Haller *et al.* do not teach or suggest a method for the flameproofing of cellulose or that the treatment of cellulose with cyanuric chloride imparts flameproofing characteristics.

Mere cyanuric chloride treated cellulose does not have inherent flame retardant properties as alleged by the examiner. As noted in the present application, the successful use of triazine derivatives in the flameproof finishing of cellulosic material is the achievement of


Inventor(s): CRIEGEE *et al.*  
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a high degree of substitution (see, for example, page 2, lines 27-29). As amended, claim 9 is directed to cellulose fibers and articles containing these cellulose fibers that have a specific degree of substitution (q). Further, Heller *et al.* provide no teaching, suggestion, or motivation for one skilled in the art to modify the dyeing intermediates of Heller *et al.* to flameproofed cellulose articles. Therefore, neither the method of flameproofing, nor the flameproofed product (having specific degrees of substitution) are taught or suggested by Heller *et al.*

The applicants respectfully submit that this application is in condition for allowance and request a timely Notice to that effect. Should questions relating to patentability remain, the examiner is strongly urged to contact the undersigned at the number indicated.

Respectfully submitted,

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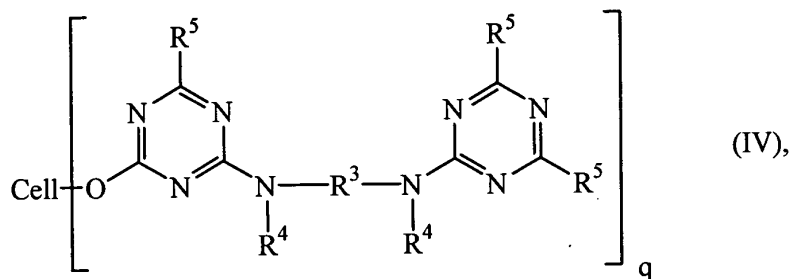
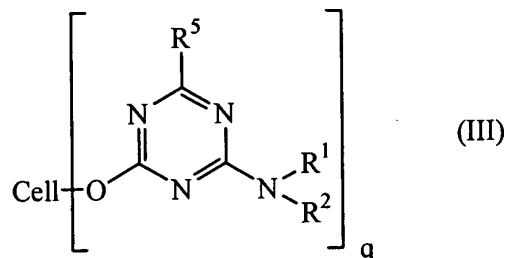
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**APPENDIX**  
**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

9. (Amended) Cellulose fibers finished in a permanently flameproof manner and articles containing these cellulose fibers, characterized by amino-s-triazine compounds bound to glucose units of the cellulose via ether bridges and by the structure of formula III or IV:



wherein:

$\text{R}^1$  and  $\text{R}^2$  are the same or different and are selected from the group consisting of: H; ( $\text{C}_1 =$  [to]  $\text{C}_6$ ) alkyl; benzyl; phenyl;  $\omega$ -amino ( $\text{C}_2 - \text{C}_6$ ) alkyl;  $\omega$ -hydroxy ( $\text{C}_2 - \text{C}_6$ ) alkyl;  $-(\text{CH}_2)_m\text{SO}_2\text{-OH}$  and  $-(\text{CH}_2)_m\text{-COOH}$ , in which  $m$  is 1 or 2, as well as their amides;  $-(\text{CH}_2)_n\text{-P(O)(OR')}_2$  with  $n = 1, 2$  or  $3$  and  $\text{R}' = \text{H}, \text{CH}_3$ , or  $\text{C}_2\text{H}_5$ ; o-, m- or p- $\text{C}_6\text{H}_4\text{-SO}_2\text{NH}_2$ ; and o-, m- or p- $\text{C}_6\text{H}_4\text{-N(CH}_3)_3^+$ ; or  $\text{R}^1$  and  $\text{R}^2$  together form an ethylene-, trimethylene- or bismethylene imino group;

$\text{R}^3$  in formula IV is selected from the group consisting of: para- or meta-phenylene; 1,4-, 1,3- or 2,6-naphthylene; ( $\text{C}_2 - \text{C}_6$ ) alkylene;  $-\text{C}_2\text{H}_4\text{-NH-C}_2\text{H}_4-$ ;  $\text{C}_2\text{H}_4\text{-NH-C}_2\text{H}_4\text{-NH-C}_2\text{H}_4-$ ;  $\text{C}_2\text{H}_4\text{-O-C}_2\text{H}_4-$ ; and  $\text{C}_6\text{H}_4\text{-NHCONH-C}_6\text{H}_4-$ ;

$\text{R}^4$  is selected from the group consisting of: H; ( $\text{C}_1 - \text{C}_3$ ) alkyl; aminoethyl; and aminopropyl; or both  $\text{R}^4$  groups together form ethylene or propylene;

$\text{R}^5$  in formulas III and IV is selected from the group consisting of: Cl; OH; Ocell in which cell is an anhydroglucose unit of cellulose; and  $\text{OR}^6$ , or  $\text{NHR}^6$  in which  $\text{R}^6$  stands for a dye

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group;

and wherein q is the average degree of substitution per glucose unit and is 1 to 3.